

Remarks

Reconsideration of the application is requested in view of the amendments above and comments which follow. In the above amendments, claim 3 has been cancelled and the subject matter thereof has been incorporated into claim 1, which has also been further amended. The remaining claims have not been altered. The Examiner's comments in numbered section 4 on page 2 of the Office Action have been noted, and the error in the previous amendment is regretted.

In the Office Action, the Examiner has rejected claims 1-4, 6-7 and 9 under 35 U.S.C. § 102(b) as being anticipated by Tsutomu et al., and the remaining claims have been rejected on the basis of obviousness. Reconsider is requested.

Tsutomu does not have a localized light detector which is the only detector which receives the light exiting or bypassing the specimen parallel to the incident beam throughout the scanning movement of the light. In the present invention, throughout the scan, only the localized detector receives the parallel light. This is very different from the arrangement in Tsutomu, where each detector in the circular array acts as a detector to receive parallel light at different points throughout the scan. Thus in Tsutomu, at one point in the scan a first detector will receive the parallel light, then as the scan proceeds successive detectors receive the parallel light, i.e. the second detector, then the third detector and so on. In the present invention, only one detector, the localized detector, receives the parallel light at all times throughout the scan, which is very different.

The arrangement of the present invention is a much simpler arrangement. By having a localized detector that is the only detector that receives the parallel light, subsequent signal processing can be simplified as one knows that the parallel light received at the localized detector is substantially free from any scattering or refracted light. This means that the arrangement of the present invention has a much higher signal-to-noise ratio as the detection of scattered light is limited.

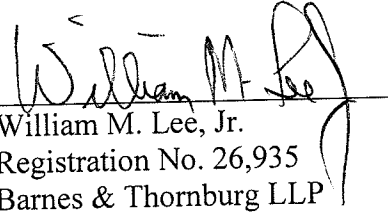
In Tsutomu, as the scan occurs each detector receives parallel light at some points during the scan and scattered/refracted light at other points during the scan. To identify the parallel light that has not been scattered or refracted requires complicated signal processing of the output of each detector, which is a much more complex arrangement.

The present arrangement is thus more straightforward and at all times throughout the scan, the localized light detector is the only detector receiving the parallel light. There is nothing in Tsutomu that would teach a person skilled in the art that having the simplified arrangement would be of advantage, but the inventor has realized that the simpler system achieves immediate advantages with improving the signal-to-noise ratio.

It is therefore submitted that the claims distinguish from Tsutomu, and are allowable thereover. The Examiner's further and favorable reconsideration of the application is therefore urged.

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Respectfully submitted,


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